

ORIGINAL

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A.W. Chesterton Company

FILED
DISTRICT COURT OF GUAM

OCT 27 2005 *mb*

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

CESS NAVARRO OLMO and RONNIE
PASCUAL FERRERAS,

Plaintiffs,

vs.

A.P. GREEN INDUSTRIES, INC., A.P.
GREEN SERVICES, INC., A.W.
CHESTERTON COMPANY, AMCHEM
PRODUCTS, INC., ARMSTRONG WORLD
INDUSTRIES, INC., ASBESTOS CLAIMS
MANAGEMENT CORPORATION,
BABCOCK & WILCOX COMPANY,
COMBUSTION ENGINEERING, INC., DOW
CHEMICAL COMPANY, DRESSER
INDUSTRIES, INC., FELITALLIC, INC.,
FLINTKOTE COMPANY, FOSTER
WHEELER CORP., GAF CORPORATION,
GARLOCK, INC., GEORGIA-PACIFIC
CORPORATION, HARBISON-WALKER
REFRACTORIES CO., HONEYWELL
INTERNATIONAL, INC., JOHN CRANE,
INC., KAISER GYPSUM COMPANY, INC.,
METROPOLITAN LIFE INSURANCE
COMPANY, OWENS CORNING, OWENS-
ILLINOIS, INC., PITTSBURG CORNING
CORPORATION, QUIGLEY COMPANY,
INC., UNITED STATES GYPSUM
COMPANY, and VIACOM, INC.,

Defendants.

CIVIL CASE NO. CV05-00025

**DEFENDANT A.W. CHESTERTON
COMPANY'S NOTICE OF TAG-
ALONG ACTION; DECLARATION OF
SERVICE**

DEFENDANT A.W. CHESTERTON COMPANY'S
NOTICE OF TAG-ALONG ACTION

PLEASE TAKE NOTICE that on July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an Order transferring all asbestos cases pending in the Federal Court to the United States District Court, Eastern District of Pennsylvania, for coordinated pretrial proceedings pursuant to 28 U.S.C. Section 1407 ("MDL Transfer Order"). That Order also applies to "tag-along actions," or actions involving common questions of fact filed after the January 17, 1991 filing of the Panel's Order to Show Cause. MDL Rule 7.5(e) provides:

Any party or Counsel in actions previously transferred under section 1407 or under consideration by the Panel for transfer under section 1407 shall notify the Clerk of the Panel of any potential "Tag-along actions" in which that party is also named or in which that Counsel appears.

The undersigned hereby notifies the Court that this case is a potential "tag-along action" which may be subject to transfer to the Eastern District of Pennsylvania. The Clerk of the Panel may either (1) enter a conditional transfer Order pursuant to MDL Rule 7.4(a), or (2) file an Order to show cause why the action should not be transferred, pursuant to MDL Rule 7.5(b).

DATED: Hagåtña, Guam, October 27, 2005.

CARLSMITH BALL LLP



J.PATRICK MASON
Attorneys for Defendant
A.W. Chesterton Company

DECLARATION OF SERVICE

I, J.PATRICK MASON, hereby declare and state:

1. I am a United States citizen over the age of 18 years;
2. I am an Attorney of the law firm of Carlsmith Ball LLP.
3. On October 27, 2005, I caused to be served a filed copy of DEFENDANT A.W.

CHESTERTON COMPANY'S NOTICE OF TAG-ALONG ACTION by hand delivery to the following:

John S. Unpingco, Esq.
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Louie J. Yanza, Esq.
Maher Yanza Flynn Timblin, LLP
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Hagåtña, Guam 96910

4. On October 27, 2005, I will also cause a copy of said documents to be served on the following by depositing same with the United States mail in sealed envelopes, postage prepaid, addressed as follows:

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Flintkote Company
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Harbison-Walker Refractories Co.
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DATED: Hagåtña, Guam, October 27, 2005.



J.PATRICK MASON